

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

BARRY EUGENE MILLER,

PLAINTIFF

V.

NO. 1:06CV214-P-D

JIMMY TAYLOR, et al.,

DEFENDANTS

FINAL JUDGMENT

In accordance with the opinion issued this day, the instant cause is **dismissed without prejudice** and the applicable statute of limitations is suspended from and after the date Plaintiff's claims were filed. Plaintiff may refile his claim when he is released from his incarceration outside the state and is free to return to Mississippi to prosecute his complaint within the jurisdiction of this court, provided he does so within 90 days of his release.

SO ORDERED, THIS the 17th day of August, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE